



JUL 24 2001

CERTIFIED MAIL--
RETURN RECEIPT REQUESTED

Mr. Robert K. Scarborough
Scarborough Properties
20 East Clementon Road
Suite 201 South
Gibbsboro, NJ 08026-1165

Re: Request for Information Pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §9604(e), concerning the Route 561 Dump Site near Milford/Kresson Road, the United States Avenue Burn Site on United States Avenue, and the Hilliard's Creek Site along Gibbsboro/Kirkwood Road, located in the Borough of Gibbsboro, Camden County, New Jersey

Dear Mr. Scarborough:

This letter seeks your cooperation in providing information and documents relating to the Route 561 Dump Site, the United States Avenue Burn Site, and the Hilliard's Creek Site (the "Sites") located on Route 561 near Milford/Kresson Road, on United States Avenue, and along Gibbsboro/Kirkwood Road, respectively, all in the Borough of Gibbsboro, Camden County, New Jersey. At this time, the Sites consists of, but may not be limited to, Block 18.07, Lot 9, and portions of Block 14.02, Lot 1 and Block 18.07, Lot 10 (Route 561 Dump Site), Block 23, Lot 1, Block 25, Lot 1 and Block 19.02, Lot 1 (United States Avenue Burn Site), and Block 8.01, Lots 3.01 and 3.03, Block 19.01, Lots 1, 1.01, and 1.07, Block 20, Lot 1, Block 27, Lot 2, Block 58.01, Lots 1.01, 1.02, 2.01, 2.02, 6.01, 6.04, 7.01, 8.01, 8.03, 9.01, 9.02, 9.03, 9.04, 9.05, 9.06, 9.07, 9.08, 10, 11.02, 12.01, and 13.01, Block 59.01, Lots 3.01, 3.02, 4.01, 4.02, and 5, and Block 59.05, Lot 24 (Hilliard's Creek Site) on the Borough of Gibbsboro's Tax Maps. We encourage you to give this letter your immediate attention. A complete and truthful response to the enclosed Request for Information should be provided to the United States Environmental Protection Agency ("EPA") within 30 days from the date of your receipt of this letter.

EPA has conducted response activities pursuant to our authorities under the federal "Superfund" law (the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. Sections 9601-9675 ["CERCLA"]) addressing the release and threat of release of hazardous substances at the

Site. To date, EPA has taken actions at the Site including: construction of chain-link fences, placement of silt fencing in certain areas, and the collection of samples. EPA has identified hazardous substances, pollutants, or contaminants, at this location which include, but may not be limited to: arsenic, lead, antimony, barium, cadmium, chromium, copper, and mercury. Further response actions are necessary to address the investigation and treatment and/or disposal of the contaminated materials which remain at the Site.

Under Section 104(e) of CERCLA, 42 U.S.C. Section 9604(e), EPA has broad information-gathering authority which allows EPA to require persons to provide information and/or documents relating to the materials generated, treated, stored, or disposed of at or transported to a facility, the nature or extent of a release or threatened release of a hazardous substance, pollutant or contaminant at or from such a facility, as well as the ability of a person to pay for or perform a cleanup.

While EPA seeks your cooperation in this investigation, your compliance with the Request for Information is required by law. When you have prepared your response to the Request for Information, please sign and have notarized the enclosed "Certification of Answers to Request for Information," and return that Certification to EPA along with your response. Please note that false, fictitious or fraudulent statements or representations may subject you to civil or criminal penalties under federal law. In addition, Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with requests for information.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold information on that basis. If you wish EPA to treat all or part of the information confidentially, you must advise EPA of that fact by following the procedures described in the Instructions included in the enclosed Request for Information, including the requirement of supporting your claim of confidentiality.

If you have information about other parties who may have information which may assist EPA in its investigation of the Site or who may be responsible for the contamination at the Site, that information should be submitted to EPA within the time frame noted above.

Please note that if after submitting your response you obtain additional or different information concerning the matters addressed by our information request, it is necessary that you promptly notify EPA.

This Request for Information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Sections 3501-3520.

Your response to this Request for Information should be mailed to:

Emmet Keveney
Remedial Project Manager
New Jersey Remediation Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region II
290 Broadway, 19th Floor
New York, N.Y. 10007-1866

with a copy to:

Carl R. Howard, Esq.
New Jersey Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency, Region II
290 Broadway, 16th floor
New York, NY 10007-1866

If you have any questions regarding the Request for Information, or would like to discuss this matter with EPA, you may call Mr. Keveney at (212) 637-3916 or have your attorney call Mr. Howard at (212) 637-3216.

We appreciate and look forward to your prompt response to this Request for Information.

Sincerely yours,

Janet Conetta
Strategic Integration Manager
Emergency and Remedial Response Division

Enclosure

bcc: Thomas Budroe, MS211 w/encl.
Bonita Green, MS-211 w/encl.
Carl Howard, EPA-ORC w/encl.
Emmet Keveney, ERRD-NJRB w/encl.
Richard Savino, R2OSWSF1 w/encl.

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

A. Directions

1. A complete and separate response should be given for each question.
2. Identify each answer with the number of the question to which it is addressed.
3. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the question to which it applies.
4. In preparing your response to each question, consult with all present and former employees and agents of your Partnership whom you have reason to believe may be familiar with the matter to which the question pertains.
5. In answering each question, identify each individual and any other source of information (including documents) that was consulted in the preparation of the response to the question.
6. If you are unable to give a detailed and complete answer, or to provide any of the information or documents requested, indicate the reason for your inability to do so.
7. If you have reason to believe that an individual other than one employed by your Partnership may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number, and the reasons for your belief.
8. If a document is requested but not available, state the reason for its unavailability. To the best of your ability, identify the document by author, date, subject matter, number of pages, and all recipients of the document with their addresses.
9. If anything is omitted from a document produced in response to this Request for Information, state the reason for, and the subject matter of, the omission.
10. If you cannot provide a precise answer to a question, please approximate but, in any such instance, state the reason for your inability to be more specific.
11. Confidential Information. The information requested herein must be provided even though you may contend that it includes confidential business information or trade secrets.

You may assert a confidentiality claim covering part or all of the information requested, pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. Section 9604(e)(7), and 40 C.F.R. Section 2.203(b).

If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim to be confidential, you must separately address the following points:

- a. the portions of the information which are alleged to be entitled to confidential treatment;
- b. the period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. measures taken by you to guard against the undesired disclosure of the information to others;
- d. the extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. pertinent confidentiality determinations, if any, by EPA or other federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. whether you assert that disclosure of the information would likely result in substantial harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp, or type, "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents should be clearly identified. Please submit your response so that all non-confidential information, including any redacted versions of documents, are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such

claim will be disclosed by EPA only to the extent permitted by Section 104(e) of CERCLA, 42 U.S.C. Section 9604(e), and 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, then it may be made available to the public by EPA without further notice to you.

B. Definitions

1. As used herein, the term "hazardous substance" shall have the meaning set forth in Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14). The substances which have been designated as hazardous substances pursuant to Section 102(a) of CERCLA are set forth at 40 C.F.R. Part 302. "Hazardous substance" shall also mean such substances referred to in the preceding statutory references, by whatever names the substances were known, prior to their designation as hazardous substances in 1980.
2. As used herein, the terms "disposal", "hazardous waste", and "storage" shall have the meaning set forth in Sections 1004(3), (5), and (33) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. Sections 6903(3), (5), and (33), respectively.
3. The term "you" shall mean the addressee of this Request for Information, the addressee's officers, managers, employees, contractors, trustees, partners, successors, assigns or agents.
4. As used herein, the terms "the Partnership" or "your Partnership" refer not only to your Partnership as it is currently named and constituted, but also to all predecessors in interest of your Partnership and subsidiaries, divisions and branches of your Partnership or of its predecessors.
5. The terms "and" as well as "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these questions information which might otherwise be construed to be outside of their scope.
6. As used herein, the term "industrial waste" shall mean any solid, liquid or sludge or any mixture thereof which possesses any of the following characteristics:
 - a. it contains one or more hazardous substances (at any concentration) as defined in 42 U.S.C. Section 9601(14);

- b. it is a "hazardous waste" as defined in 42 U.S.C. Section 6903(5);
 - c. it has a ph less than 2.0 or greater than 12.5;
 - d. it reacts violently when mixed with water;
 - e. it generates toxic gases when mixed with water;
 - f. it easily ignites or explodes;
 - g. it is an industrial waste product;
 - h. it is an industrial treatment plant sludge or supernatant;
 - i. it is an industrial byproduct having some market value;
 - j. it is coolant water or blowdown waste from a coolant system;
 - k. it is a spent product which could be reused after rehabilitation; or
 - l. it is any material which you have reason to believe would be toxic if either ingested, inhaled or placed in contact with your skin.
7. The term "pollutant or contaminant" shall have the same definition as that contained in Section 101(33) of CERCLA, 42 U.S.C. Section 9601 (33), and includes any mixtures of such pollutants or contaminants with any other substances. Petroleum products mixed with pollutants and contaminants are also included in this definition.
8. The term "release" has the same definition as that contained in Section 101(22) of CERCLA, 42 U.S.C. Section 9601 (22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, disposing into the environment, including the abandonment or discarding of barrels, containers and other closed receptacles containing any hazardous substance or pollutant or contaminant.
9. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including, but not limited to, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations, including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, report, notice, message, analysis, comparison, graph, chart, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording or any type of device, any punch card, disk or tape or other type of memory generally associated with computers and data processing (together with the programming

- instructions necessary to use such computer memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosure with any document, and (e) every document referred to in any other document.
10. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question.
 11. As used herein, at this time, the term "Route 561 Dump Site", shall refer to, but may not be limited to, the fenced area enclosing what is currently known as Block 18.07, Lot 9 and portions of Block 14.02, Lot 1 and Block 18.07, Lot 10 in the Borough of Gibbsboro, New Jersey. The term "United States Avenue Burn Site" shall refer to, but may not be limited to, the area identified on the municipal tax map in the Borough of Gibbsboro, New Jersey, in and around, Block 22, Lot 1, Block 23, Lot 1, Block 25, Lot 1 and Block 19.02, Lot 1. The term "Hilliard's Creek Site" shall refer to, but may not be limited to, the area identified on the municipal tax map in the Borough of Gibbsboro, New Jersey, in and around, Block 8.01, Lots 3.01 and 3.03, Block 19.01, Lots 1, 1.01, and 1.07, Block 20, Lot 1, Block 27, Lot 2, Block 58.01, Lots 1.01, 1.02, 2.01, 2.02, 6.01, 6.04, 7.01, 8.01, 8.03, 9.01, 9.02, 9.03, 9.04, 9.05, 9.06, 9.07, 9.08, 10, 11.02, 12.01, and 13.01, Block 59.01, Lots 3.01, 3.02, 4.01, 4.02, and 5, and Block 59.05, Lot 24. "Sites" will refer to the Route 561 Dump Site and/or the United States Avenue Burn Site and/or the Hilliard's Creek Site. The term "former paint manufacturing plant" shall refer to, but may not be limited to, the area identified on the municipal tax map in the Borough of Gibbsboro, New Jersey, in and around, Block 8.02, Lot 3.01; Block 8.03, Lot 6.01; Block 8.01, Lots 2, 2.01, 3, 3.01, 3.02, 3.03, 3.04, 3.05, 3.06, 4 and 5; Block 8.04, Lot 6; and Block 19.01, Lots 1.01 and 1.07.
 12. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known employer and business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, occupation, position or business.
 13. The term "identify" means, with respect to a partnership, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its

full name, address, legal form (e.g. partnership, partnership, etc.), and a brief description of its business.

14. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number if any (invoice or purchase order number), the identity of the author, address or, addressee and/or recipient, and the substance or the subject matter. Your Partnership can provide a copy of any document in lieu of so describing it.
15. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA or RCRA, in which case the statutory definitions shall apply.
16. As used herein, the "Sherwin-Williams plant" or the "Gibbsboro plant" shall refer to all operations in Gibbsboro, Voorhees, and Lucaston, New Jersey relating to Sherwin-Williams and John Lucas Company, Inc. facilities and all their predecessors in interest of the Sherwin-Williams Company (the "company" as defined in paragraph 8, below) and all subsidiaries, divisions, affiliates and branches of the Sherwin-Williams Company.
17. As used herein, the term "the company" refer not only to the Sherwin-Williams Company, Inc. as it currently is named and constituted, but also to all predecessors in interest of the Sherwin-Williams Company, Inc. as well as all subsidiaries, divisions, affiliates and branches of the Sherwin-Williams Company, Inc. or its predecessors.

REQUEST FOR INFORMATION

1. State your full name, your mailing address, and the specific Blocks and Lots that you and/or your partnership currently own or owned in the past in the Borough of Gibbsboro, NJ and the name, address, and telephone number of the individuals to whom you and/or your partnership sold the Blocks and Lots to.
2.
 - a. State the correct legal name and mailing address of your Partnership.
 - b. State the name(s) and address(es) of the General Partners of the Partnership.
 - c. If your Partnership is a subsidiary or affiliate of another partnership, identify each such entity and its relationship to the Partnership and state the name(s) and address(es) of each such entity's General Partners.
 - d. Identify the date that the Partnership was established, the State in which it was established, and the agent for service of process in the state of establishment and in New York State for your Partnership and each entity identified in your response to question 2.c. above.
 - e. Please provide a copy of the Certificate of Partnership as well as the Partnership Agreement for your Partnership.
3. In identifying a partnership that no longer exists, provide all the information called for in Question 2., above. If your company did business under more than one name, each name should be designated.
4. Do you and/or the partnership have/had a permit or permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq? Also, if the partnership has an EPA Identification Number, state it in your answer to this question.
5. Have you personally and/or the partnership, in the past owned, operated, leased, or maintained real property at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant as those terms are defined above under "Definitions"?
 - a. If so, specify the exact block and lot numbers, building numbers and land location of all properties which you and/or

the partnership, currently own at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. Specify the blocks and lots on local municipal tax maps and current site maps of the vicinity.

b. Specify the exact block and lot numbers, building numbers and land location of all properties which you and/or the partnership, owned in the past at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. Specify the blocks and lots on local municipal tax maps and current site maps of the vicinity.

c. Provide all relevant documentation, including leases, deeds, or other materials which relate to such premises.

d. Provide the dates of your and/or the partnership's operations at each of the above-referenced lot and block numbers, building numbers and land locations.

6. Provide a description of all past operations by you and/or the partnership at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. Your description should include, but not to be limited to, all manufacturing, research and development, processing and/or handling activities. Indicate whether you and/or the partnership used lagoons, impoundments, facility landfill, and/or storage tanks at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant to treat, store and/or dispose of hazardous substance, hazardous waste, industrial waste and/or waste. Provide all relevant documentation. For each type of operation described in the answer to this question, provide the name(s), and job description(s) of the person or persons responsible for the management of that particular operations. If such person(s) are no longer employed by the partnership, provide their last known address(es).

7. Did you and/or the partnership, in the past, generate, purchase, use and/or handle any hazardous substance, hazardous waste, industrial waste and/or waste as those terms are defined above under "Definitions" at the Sites, the Sherwin-Williams plant, and/or the former paint manufacturing plant? If yes, identify such hazardous substances, hazardous waste, industrial waste and/or waste, the volume of each, and describe when and how you and/or the partnership handled, used, generated, treated, transported or disposed of the aforementioned at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. Provide copies of any and all relevant documentation.

8. Describe all storage and disposal practices employed by you and/or the partnership with respect to all hazardous substances, hazardous waste, industrial waste and/or waste handled in any way by you and/or the partnership's operations at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. Include all on-site and off-site storage and disposal activities. Provide copies of any and all relevant documentation relating to these storage and disposal activities.
9. During your and/or the partnership's operations at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant, state whether any hazardous substance, hazardous waste, industrial waste and/or waste was ever released or discharged into the environment at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. If yes, provide the following information:
 - a. Specify the date of each release or discharge, the material that was released or discharged, the amount of each such material so released and how such a release occurred.
 - b. If this was a continuous or intermittent practice, identify the period of time during which this practice occurred.
 - c. Identify the location of each release point, disposal system, floor drain, storm drain, sewer drain, septic system, or pits and sumps.
 - d. Identify any and all activities undertaken in response to each such release or threatened release.
 - e. Provide all relevant documentation.
10. Identify each person (including company, individual, partnership, etc.) having knowledge of the facts relating to the generation and/or disposal of hazardous substance, hazardous waste, industrial waste and/or waste identified in response to questions 6 through 9, above. For each person identified, provide the name, address and telephone number of that person and the basis of your belief that he or she has such knowledge.
11. Submit a copy of any lease, contract, permit or other written agreement relating to the generation, handling, transport and/or disposal of all hazardous substance, hazardous waste, industrial waste and/or waste at your and/or the partnership's property located at the Sites, the

Sherwin-Williams plant and/or the former paint manufacturing plant.

12. State whether any agreements or contracts exist or have existed (other than an insurance policy) which may indemnify you and/or the partnership, present owners of shares in the partnership, or past owners of shares in the partnership, for any liability that may result under CERCLA for any release or threatened release of a hazardous substance at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. If such agreements or contracts exist, please provide a copy of the agreements or contracts. Identify any agreement or contract that you are unable to locate or obtain.
13. State whether an insurance policy has ever been in effect which may indemnify you and/or the partnership against any liability which you and/or the partnership may have under CERCLA for any release or threatened release of a hazardous substance that may have occurred at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant. If so, please provide a copy of the policy. Identify any policy that you cannot locate or obtain by the name, address, and phone number of the carrier, years in effect, nature and extent of coverage, and any other information you have.
14. Provide a copy of the partnership's annual reports, balance sheets, income statements and cash flow statements, including any footnotes, for the past five years. EPA will keep confidential all material so designated.
15. [Intentionally left blank]
16. Please supply any additional information which may help identify sources who disposed of hazardous substance, hazardous waste, industrial waste and/or waste at the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant.
17. With regard to your and/or the partnership's representatives' first visit to the Sites and the former paint manufacturing plant, state the purpose of the visit, identify all buildings or other locations visited, describe the physical characteristics of the Sites and the former paint manufacturing plant and any observations during the visit, and identify all individuals who were present at the Sites and the former paint manufacturing plant during the visit. Provide a copy of all relevant documentation, including all photographs taken on behalf of you and/or the partnership in connection with the visit.

18. Was an environmental assessment or inspection ever conducted by you and/or the partnership, or anyone hired by you and/or the partnership, for those portions of the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant that you and/or the partnership currently own or operate, or owned or operated in the past? If so, please provide a copy of all relevant documents, including the nature of each activity and the costs incurred for each activity.
19. Was an environmental assessment or inspection ever conducted by any other individual for those portions of the Sites, the Sherwin-Williams plant and/or the former paint manufacturing plant, that you and/or the partnership currently own or operate, or owned or operated in the past? If so, please provide a copy of all relevant documents, including the nature of each activity and the costs incurred for each activity.
20. Please identify other environmental assessments, inspections and/or soil or water sampling activities that you, and/or your partnership, or anyone hired by you and/or your partnership have conducted at other blocks and lots in the Borough of Gibbsboro which indicated the presence of hazardous substance, hazardous waste, industrial waste and/or waste. Specify the dates that these activities were conducted. Specify on a current map the specific Blocks and Lots and the present day names of streets to distinguish the outer boundaries of the locations where these activities were conducted. Provide a copy of all documents related to assessments, inspections and/or sampling activities which indicate the presence of hazardous substance, hazardous waste, industrial waste and/or waste such as, but not limited to, engineering drawings, contracts, etc.
21. From whom was the former paint manufacturing plant purchased? Provide a copy of all documents relating to this transaction.
22. Identify all individuals who acted on behalf of you and/or the partnership in connection with the purchase of the former paint manufacturing plant, and further describe the involvement of, and actions taken by, each individual.
23. Did any individuals involved in the sale of portions of the former paint manufacturing plant make any representations concerning the physical characteristics of the former paint manufacturing plant including the land and the soil? If yes, describe all representations made and provide all relevant documents.

24. If you and/or the partnership have sold portions of the former paint manufacturing plant, describe the sale of the portions of the former paint manufacturing plant to each and every purchaser of those portions of the former paint manufacturing plant and provide all relevant documents.
25. Did you and/or the partnership notify any federal, state, county or town regulator that you and/or the partnership sold portions of the former paint manufacturing plant? If yes, identify all regulators notified, state the dates of all notifications and provide a copy of all documents pertaining to each notification.
26. Were any real estate brokers involved in selling any portion of the former paint manufacturing plant? If yes, identify all brokers and provide a copy of all documents relating to their involvement.
27. Identify all individuals who currently lease or rent portions of the former paint manufacturing plant from you and/or the partnership. Provide the name of the individual or company leasing the space and/or building, the name, address and telephone number of a point of contact, the exact location of the leased space (e.g., building number, floor number, etc.), the period of time leasing the space and the nature of the company's or individual's business.
28. Identify all individuals who leased portions of the former paint manufacturing plant from you and/or the partnership in the past. Provide the name of the individual or company who leased the space and/or building, the name, address and telephone number of a point of contact, the exact location of the previous leased space (e.g., building number, floor number, etc.), the exact period of time that the space was leased and the nature of the company's or individual's business.
29. Were you and/or anyone at the partnership aware at any time between the date of purchase and the date of sale of portions of the former paint manufacturing plant that hazardous substance, hazardous waste, industrial waste and/or waste were present at the former paint manufacturing plant?
 - a. If so, please provide the person's (s') name, title, current address and phone number, and state the date, nature and extent of your and/or the partnership's knowledge.
 - b. If so, was this knowledge provided to all individuals and/or companies leasing or buying portions of the former paint manufacturing plant?

30. Specify what type(s) of development you and/or the partnership, or anyone hired by you and/or the partnership, or any individual or company who leased space from you and/or the partnership, have conducted on the portions of the former paint manufacturing plant that you and/or the partnership purchased. Describe all activities conducted, such as, but not limited to, demolition or construction of buildings, excavation of soil, increasing or decreasing of ground elevations, construction of foundations, installation of pipelines, etc. Provide a copy of all relevant documents (e.g., engineering drawings, surveying maps, contracts, etc.), including the nature of each activity. Provide the name of the individuals, construction companies, haulers or contractors used in the aforementioned activities including a point of contact, address and telephone number.
31. Have you and/or the partnership, or anyone hired by you and/or the partnership, or any other entity ever conducted soil-moving activities or filling at the former paint manufacturing plant during, or prior to, or subsequent to the purchase of the former paint manufacturing plant? If so, describe the nature of all activities related to such and the exact date of such activities. If soil-moving activities were conducted, specify what the backfill material consisted of, specify on a current map of the vicinity, the approximate boundaries of the areas where the fill material was taken from and the locations where soil was moved from one location to another for re-grading, or other purposes. Provide the same information for where fill and/or soil was deposited. Provide copies of all documents relating to the fill and/or soil removal and transportation from one location to another such as, but not limited to, engineering drawings, contracts, etc. Provide the name of the individuals, construction companies, haulers or contractors used in the soil-moving activities including a point of contact, address and telephone number.
32. Have you and/or the partnership, or anyone hired by you and/or the partnership, or any individual/company leasing property/land from you and/or the partnership at the former paint manufacturing plant, ever installed wells for potable water, irrigation or manufacturing purposes?
 - a. If so, specify the purpose of the wells (e.g., drinking, etc.), how many wells, the dates installed, the depth of the wells, if the wells are still being used for their original purposes, and the exact locations of the wells on a current map of the property and all relevant documents, such as, but not limited to, contracts for installation, engineering drawings, etc.

- b. Identify each person (including company, individual, partnership, etc.) having knowledge of the facts relating to any installation of wells for potable water, irrigation or manufacturing purposes at the former paint manufacturing plant since the date of purchase. For each person identified, provide the name, address and telephone number of that person and the basis of your belief that he or she has such knowledge.
33. Have you and/or the partnership, or anyone hired by you and/or the partnership, ever transported and/or deposited soil and/or fill off-site from the former paint manufacturing plant? If so, state the names of the individuals, construction companies, waste haulers or other transporters used including a point of contact, address and telephone number, the location of where the soil/fill was transported to, and the period during which each such haulers/transporters were used. Specify on a current map of the vicinity, the approximate boundaries of the areas where the soil and/or fill was taken from. Provide the same information for where fill and/or soil was transported and/or deposited. List all material removed, the total volume or weight removed, the dates removed, and provide all documents confirming or relating to such removal, including, but not limited to, manifests, contracts for disposal, engineering drawings, etc.
34. Have you and/or the partnership, or anyone hired by you and/or the partnership, ever transported and/or deposited soil or fill on any portions of the Sites (i.e., the Route 561 Dump, the U.S. Ave. Burn, and/or the Hilliard's Creek Sites)? If so, state the names of the individuals, construction companies, waste haulers or other transporters used including a point of contact, address and telephone number, the location of where the soil/fill was transported to, and the period during which each such haulers/transporters were used. Specify on a current map of the vicinity, the approximate boundaries of the areas where the soil and/or fill was taken from. Provide the same information for where fill and/or soil was transported and/or deposited to at the Sites. List all material removed and transported/deposited at the Sites, the total volume or weight removed and transported/disposed at the Sites, the dates removed and transported/disposed at the Sites, and provide all documents confirming or relating to such removal and transportation/disposal, including, but not limited to, manifests, contracts for disposal, engineering drawings, etc.
35. If you and/or the partnership, or anyone hired by you and/or the partnership, ever transported soil and/or fill off-site

from the former paint manufacturing plant, was the soil and/or fill sampled and analyzed for hazardous substances, hazardous wastes, process residuals or industrial wastes prior to transportation?

a. If so, provide the name of the company used for the sampling, a point of contact, address and telephone number. Specify the dates that sampling occurred, the number of samples taken, what constituents were specifically sampled for, and the results of the sampling. Submit all relevant documentation.

b. If sampling and analysis indicated that the soil and/or fill was a hazardous substance, hazardous waste, process residual or industrial waste, specify in detail the nature of all arrangements made to have the soil/fill transported and/or disposed. State the names and addresses of the waste hauler or other transporters used and the period during which each such transporter was used. List all material removed, the nature of the material removed, the total volume or weight removed, the dates removed, and provide all documents confirming or relating to such removal, including, but not limited to, hazardous waste manifests and contracts for disposal. Identify all companies and individuals/employees of your partnership who participated in any of these arrangements or in the transportation or disposal of the hazardous substances, hazardous wastes, process residuals and industrial wastes as they relate to the former paint manufacturing plant.

36. Were any indications of chemical releases observed by you and/or your partnership, or anyone hired by you and/or the partnership at the former paint manufacturing plant, or during soil-moving or construction activities at the former paint manufacturing plant such as, but not limited to, odors, sheens, discoloration, bubbling surfaces/water, etc.?

a. If so, describe in detail these observations and the specific date of these observations and submit all relevant documentation.

b. If observations were made, did you and/or your partnership, or anyone hired by you and/or the partnership notify any town, county or state regulatory agencies? If so, provide the specific dates of the notification, what the notification entailed and a copy of all relevant documentation.

c. If observations were made, did you and/or your partnership, or anyone hired by you and/or the partnership conduct sampling and analysis for hazardous substances,

hazardous wastes, process residuals or industrial wastes in the vicinity of the observations?

- i. If so, provide the name of the company used for the sampling, a point of contact, address and telephone number. Specify the dates that sampling occurred, the number of samples taken, what constituents were specifically sampled for, and the results of the sampling. Submit all relevant documentation.
 - ii. If sampling and analysis indicated that the soil or sediment or water in the vicinity of the observation was a hazardous substance, hazardous waste, process residual or industrial waste, specify in detail the nature of all arrangements made to have the soil/sediment/water transported and/or disposed. State the names and addresses of the waste hauler or other transporters used and the period during which each such transporter was used. List all material removed, the nature of the material removed, the total volume or weight removed, the dates removed, and provide all documents confirming or relating to such removal, including, but not limited to, hazardous waste manifests and contracts for disposal. Identify all companies and individuals/employees of your partnership who participated in any of these arrangements or in the transportation or disposal of the hazardous substances, hazardous wastes, process residuals and industrial wastes as they relate to the former paint manufacturing plant.
- d. Identify each person (including company, individual, partnership, etc.) having knowledge of any observations of chemical releases at the former paint manufacturing plant identified in response to all of the above questions. For each person identified, provide the name, address and telephone number of that person and the basis of your belief that he or she has such knowledge.
37. Has the former paint manufacturing plant, or any portion of the former paint manufacturing plant, since the date of purchase by you and/or the partnership, been the subject of any inspection by any town, county or state regulatory agencies concerning fire, safety, health, or occupational matters? If so, describe each such inspection and provide copies of all relevant documents.
 38. State the name(s), address(es), telephone number(s), title(s) and occupation(s) of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the answers. In addition,

identify each person who assisted in responding to the "Request for Information". Specify the question for which each person provided assistance in responding.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of _____

County of _____:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my Partnership is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the Partnership's response thereto should become known or available to the Partnership.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this
____ day of _____, 2001.

Notary Public